

REMARKS

Claims 1-48 are pending, plus new claim 49. The only independent claim is claim 1. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by *Puuskari* (WO 99/48310). Claims 9-48 are indicated to be allowable. Claims 9, 34, 46 and 47 are therefore rewritten in independent form to put them in condition for allowance. New claim 49 is the same as the last wherein clause of claim 6.

Information Disclosure Statement

The Office Action states that there was an Information Disclosure Statement filed on "2/4/00" which failed to comply with the Patent Office rules (37 CFR §1.98(a)(2)). The Office Action included a copy of a Form PTO-1449 submitted in a Supplemental IDS received at the PTO on June 11, 2002, which the Examiner indicated has been considered. However, the applicant respectfully requests that the Examiner please initial the third item on that IDS of June 11, 2002.

There was an earlier IDS mailed on July 18, 2000 which contained two publications to which the Examiner makes no reference and which apparently is the IDS which the Examiner states is not being considered. Based on the information we submitted and the return postcard, which was submitted with the IDS, it is apparent that the Examiner believes that the IDS was filed on February 4, 2000 (the application filing date) instead of the actual date of July 18, 2000. Therefore, the Applicant resubmits the July 18, 2000 IDS herewith.

The Rejected Claims Should be Allowed

At paragraph 3 of the Office Action, claims 1-5 are rejected as anticipated in view of *Puuskari* (WO 99/48310). The position at paragraph 3 of the Official Action, is that *Puuskari* discloses claim 1. However, claim 1 specifically states that the setup and release of the physical

connection is defined and signaled from the application executing in the application layer to a lower level layer of the multi-layer protocol so that the control events for setup and release of the physical connection are based upon requirements of the application that is executed in the application layer. The specific reference in the Office Action to page 2, line 17 through page 3, line 14, page 7, line 29 to page 9, line 19 and page 13, lines 9-13, of *Puuskari* are directed to quality of service profiles, not application layer requirements.

The present application describes that different data packets may provide requirements to RLC/MAC TBFs. In a delay-sensitive situation, the TBF must be open all the time. The GPRS protocol stack is told when to set up TBF, and when to release it (a QoS parameter can be utilized for decision making). In contrast, *Puuskari* discloses how different data packets can be prioritized according to QoS (page 5, line 30). The present application is entirely unrelated to such prioritization between packets.

Puuskari does discuss (at page 13, line 10), a radio-solution-dependent reliable link, which is a "normal" function in the Radio Link Control (the RLC/MAC layer provides services for information transfer over the physical layer of the GPRS radio interface, and these functions include backward error correction procedures enabled by the selective retransmission of erroneous blocks). However, this feature disclosed by *Puuskari* has nothing to with maintaining the TBF connection according to requirements of an executing application.

Regarding claim 6, the Office Action combines *Puuskari* with *Hjelm et al.* (U.S. Patent No. 6,529,497), on the contention that *Hjelm* discloses at column 2, line 40 to column 3, line 11, that a timer, if unexpired, allows a channel to be available for packet data transfers and thus is analogous to the physical connection not being released during an inactive period as set forth in claim 6. *Hjelm* was not cited in the international application. Although *Hjelm* discloses use of a timer and that if the timer is not expired the channel on the second list is available for specialized service traffic without any new activation, it is not seen how this use of a timer can be argued to be related to a physical connection not being released during an inactive period if the application executing in the application layer is determined to be a specific traffic type.

It is noted that, in the present application, the physical connection is the connection between the mobile terminal and the network. However, *Hjelm* deals with usage of a channel pool: a GPRS channel is maintained "open" or "ready" for GPRS usage, but after the timer has expired the channel is moved into a "general" pool to be used for GSM.

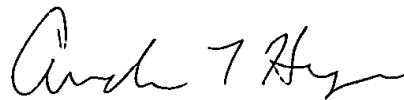
CONCLUSION

Thus, the Examiner is asked to kindly reconsider the non-final Office Action in the light of the arguments presented herein, and to correspondingly issue a favorable Office Action at the next stage of the proceedings. However, in case the Examiner holds a different view regarding the subject matter of the new version of the claims, a personal consultation with applicant's undersigned representative would be deemed to be helpful. Early allowance of independent claim 1 (and the pending claims depending therefrom) is earnestly solicited. Applicant would be grateful if the Examiner would please contact Applicant's attorney by telephone if the Examiner detects anything in the present response that might hinder allowance.

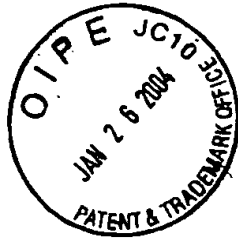
Respectfully submitted,

Dated: January 22, 2004

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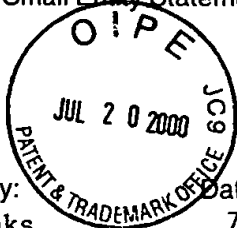
Applicant Parantainen et al
For: Method and Arrangement for Transferring Information in a
Packet Radio Service..... Filed: 2/4/2000
Serial No. 09/499,009

The following papers were received in the U.S. Patent and Trademark Office:

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